

**TOWN OF FREDERICK
ATTORNEY STATUS REPORT
MAY 17, 2010**

LITIGATION

Item/Topic	Date Initiated	Status/Date Completed
SMT - Yardley Annexation	5/15/07	Oral argument waived. Waiting for decision.
Erie – Yardley Annexation	5/15/07	Oral Argument held on 5/11/2010 ¹ .
Oil and gas inspection fees	2007	KP Kaufman billed for 2009, all others in process for billing in June.
VanDeventer (Net Lease)	10/07	On hold.
318 4 th Street FED	4/14/2010	Possession awarded at Hearing on 5/7/2010, awaiting Order and Writ
KP Kaufman Declaratory Action, re: oil/gas inspection fees	4/26/2010	Answer and counterclaim filed on Friday, 5/14. Set of pleadings is in Derek's office

DEVELOPMENT MATTERS

Item/Topic	Date Initiated	Status/Date Completed
Avocet Subdiv.	2008	Pending, MOAPI sent for recording
Carbon Valley Rec Rezone/Amnd	2009	Pending, draft MOAPI prep'd
Fred West Replat Blk 5	2008	Inactive
Hinkle Farm Filing 1	2007	Pending, awaiting new fence data
9 th and 11 th Vacation	5/8/07	Withdrawn
Miner's Village Final Plat/FDP	1/23/08	Pending
Wyndham Hill Prelim Plat/PUD Amnd	4/1/08	Inactive
Wyndham Hill Filing 4 replat	4/1/08	Delayed
Wyndham Hill Zoning Amendment 3	4/1/08	Delayed
Meadowlark Business Filing 3		Pending, MOAPI being finalized
Salud Family Health Site Plan Amend.	1/08/09	Pending, resubmitted in Jan '10
Raspberry Hill LOC replacement	2009	Pending, awaiting new LOC
US Engineering metal building campus	3/2009	Delayed
Miner's Village Minor/Subdiv Amend	2009	SVVSD commencing ROW improvements
EnCana-Sullivan oil/gas wells	2009	Pending
Episcopal Church SubAmend	2009	Pending
Tops/Shrek SubAmend	2009	Pending
Verizon @ Elmore Spelts	2009	Pending
Rinn Villy Park Improvements	2008	Pending, awaiting Dev'r response on options to avoid default
Tri-State Subdiv Amend	2009	Pending
Yardley Tank Battery Separators	2009	Pending
Halleck Subdivision Replat/Rd Eng	2009	Pending, draft agreem't w/ Halleck; awaiting follow up by Engineer

¹ Audio file of arguments posted on Ct of Appeal website at
http://www.courts.state.co.us/Courts/Court_Of_Appeals/Oral_Arguments/Audio_Files/100511-09ca1066.wma

Coalridge Subdivsion	2010	Escrow with developer for completing roads in place, awaiting completion by developer.
Frederick Village Mktplace Site Plan	2010	Pending

LICENSES, FRANCHISES, AGREEMENTS, CONTRACTS AND ORDINANCES

Item/Topic	Date Initiated	Status/Date Completed
Longmont IGA	2008	In process
Comcast 1 st Amend to Franc. Agm't	3/2009	Pending
NATA membership	2009	Pending
Fence Permit/Review Resolution	2009	Pending, per BOT direction 6/9/09
Firestone IGA	2009	In process
United Power Agreement	2009	UP response rec'd, In process
Medical Marijuana Regulation	2009	Under Moratorium until 6/08/2010, work session scheduled for 5/18 to consider moratorium extension.
Medical Marijuana Bus Lic	2009	Under Moratorium until 6/08/2010, work session scheduled for 5/18 to consider moratorium extension.
St Vrain Valley School District IGA	2009	In process
New Consolidated Lwr Bldr Res/Ditch Co Agreement	2009	Pending, reviewing offer from counsel for Res/Ditch Co.
St Vrain Vally School Dist Bell Agr'mt	2009	In process. Resent to the District

OTHER LEGAL MATTERS

Item/Topic	Date Initiated	Status/Date Completed
St Vrain San/Tri-Area Properties	2007	Chart of easements prepared. SVSD will be contacted
Countryside HOA Tracts E, M, N	2008	In process re: division of watering to HOA and maint of park to Town
Kerr McGee App's for Hauck Wells	2008	Letter sent to Kerr McGee
Fred Rec Area/Milavec-Nobel	2009	Pending, Noble declined offer to participate in improvement costs
Orphan Rd Annex/Exclusion from MVFPD	2010	MVFPD approved pet to exclude orphan land segments, awaiting review and ct order
Machii-Ross new well applications to COGCC, and non-compliance w/ FMC	4/27/2010	Awaiting response from State to notice from Town

GENERAL ADVICE ITEMS

Item/Topic	Date Initiated	Status/Date Completed
3762 Imperial St # B Bldg Permit	2/18/2010	Permit denial issued 3/08, Muni Ct proceeding occurred on 3/11, Applicant did not appeal Notice to Cure LUC violation or Termination of occupancy by deadline, Town may seek ct action to enforce.
3762 Imperial St # C Bldg Permit		Bldg permit submitted by LL (original tenant vacated), no use provided, BO processing permit w/o tenant
PD physical fitness exam waiver and guidelines	4/15/2010	Discussed need and application with Chief, reviewed and commented on final format

ITEMS COMPLETED (2010)

Home Rule	2009	Completed
US Engineering metal building campus- Bldg waiver	3/2009	Completed
O/S Master Plan-GOCo Grant	2009	Before BOT 1/12/2010
Fred Rec Area-DOW Grant	2009	Before BOT 1/12/2010
Godding Hollow Metro IGA	2009	Before BOT 1/12/2010
Res. on medical marijuana moratorium	2010	BOT approval 2/23/2010
Bldg Appeal Board r	2010	Completed
Town Admin K renewal	2010	Completed
Fred Planning Area Boundaries	2010	BOT approval 2/09/2010
Designation-Comp Plan as 3-Mi plan	2010	BOT approval 2/09/2010
O/S Master Plan-GOCo Grant	2009	BOT approval 1/12/2010
St. Vrain/Tri Area San Dist Annex	2009	BOT approval 2/23/2010
St. Vrain/Tri Area San Dist Zoning	2009	BOT approval 2/23/2010
St. Vrain/Tri Area San Dist Minor Sub	2009	BOT approval 2/23/2010
Miner's Village WCR 13 ROW	2010	Vacation/Dedication approved 03/2010
Waste Connection 2010 Renewal	2009	Completed
Ordinance on Water Shut-off/Billing	2009	Completed
Civil Resources Lease Renewal	2009	Completed
Ordinance to amend Fire Code	2010	Completed
Ordinance on Fee Collection	2010	Revised per BOT direction
Remedies-Muni Code Revision		3/23/2010